

REGULAR MEETING of the Burrillville Town Council held Wednesday, March 11, 2015 at 7:00 P.M. in the Municipal Court Room, Burrillville Police Station, 1477 Victory Highway, Oakland, RI for and within the Town of Burrillville.

PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place

MEMBERS ABSENT: Councilor Nancy F. Binns was excused. Councilor David J. Place was tardy.

1. Council President John F. Pacheco III led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held February 25, 2015 and the special meeting held February 23, 2015, and dispense with the reading of said minutes.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville: None

5. Special Business:

15-057 A proclamation honoring the Burrillville High School Football Team – 2014-15 Undefeated Division IV Champions was presented by Council President John F. Pacheco. The team included:

Dillon Amaral

Sam Astillero

Aaron Aubin

Gioele Blardone

Christian Bouvier

Dylan Bouvier

Andrew Braddock

Aaron Buxton

Filippo Calapai

Robert Card

Gregory Carlson

Trent Ceiley

Cameron Charron

Jack Collins

Brydon Conti

Kameron Cournoyer

Antwan Dearden

Nicholas Deering

Justin Deschamps

Isaiah Desilva

Trevor Duquette

Justin Emond

Dominic Esposito

Jacob Ferreira

David Gariepy

Joseph Gaulin

Tom Gieseke

Nicholas Gongoleski

Zachary Gray

Audrianna Greeno

Alex Grey

Matthew Heon

Andrew Hessler

Samuel Hetu

Jacob Jackson

Zachary Lefebvre

Kyle Leighton

Jacob Losardo

Nicholas Losardo

Nicholas Meyers

Lucas Mongeon

Joshua Newell

Wyatt Oakley

Michael Perreault

William Pollard

Damien Rainone

Dylan Rapoza

Tyler Richards

Brandon Rogers

Nicholas Samek

Mathew Schiffmann

Bradley Schionning

Jakob Stankoski

James Switzer

Zackary Tayes

Nathan Tayes

Robert Tufano

Riley Tupper

Avery Tupper

Jacob Wall

Logan Wilson

Jake Wilson

Head Coach Gennaro Ferraro and Assistant Coaches: Chris Belluzzi, Joe Hauser, Kevin Randall, Jeff Fontaine, Brandon Reiff, Tom Smith, Mike Oakley, Scott Newell and Andrew Abbate

6. Petitions: None

7. Public Hearing: None

8. Unfinished Business: None

9. New Business:

15-058 Discussion relative to the FYE2014 Comprehensive Annual Financial Report.

Discussion: Donna T. Caccia and Mark V. Caccia of Caccia, Cayer, LLP were present to discuss the FYE 2014 Comprehensive Annual Financial Report (CAFR), a copy of which is on file with the record of the meeting. Ms. Caccia noted that the auditors had met with the Audit Committee and discussed the CAFR in detail.

Donna T. Caccia reviewed:

- **Communication with Those Charged with Governance**
- **Letter of Transmittal**
- **Management's Discussion and Analysis**
- **Auditor's opinion**
- **Overview of the financial statements**
- **Details of the management letter**

The FYE 2014 Comprehensive Annual Financial Report was discussed.

15-059 VOTED to open consideration and action on the correspondence from Jeffrey M. McCormick, P.E., Director of Public Works, regarding his request that the Town Council extend on-call contractors, as listed, for one year.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

VOTED to extend on-call contractors, as listed, for one year.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-060 VOTED to open the correspondence from Edward J. Pienkos, Information Systems Manager, regarding his request that the Town Council declare surplus certain equipment, as listed.

Motion by Councilor Donald A. Fox. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

VOTED to declare the items consisting of personal computers, printers, monitors, laptops, battery backup and switches surplus so they may be disposed of in the best manner possible.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-061 Correspondence from Ken Milligan regarding his resignation from the Burrillville Budget Board and the Burrillville Recreation

Commission.

VOTED to receive with regret, to send a letter of thanks and to refer the vacancies to the Screening Subcommittee.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-062 VOTED to refer to the Screening Subcommittee the applications for reappointment from Leslie Bowen of the Board of Canvassers, Paul A. McDonald of the Personnel Board, Christopher Desjardins, Bruce Ferreira and Jeffrey Presbrey of the Planning Board and Edward F. Bonczek and Renay McLeish of the Redevelopment Agency.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken.

Councilor Nancy F. Binns was excused.

15-063 Correspondence from David J. Place, Chair, Screening Subcommittee regarding the Subcommittee's recommendations to reappoint Kathan M. Lambert and Jacqueline Zahn to the Juvenile Hearing Board and Tony Wood as an alternate member of the Personnel Board and to elevate James Alix from alternate member to full member of the Recreation Commission.

VOTED to accept the Subcommittee's recommendations.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-064 Correspondence from Council President John F. Pacheco III regarding appointing a different liaison to the Burrillville Extended Care Board of Directors.

VOTED to appoint Councilor Michelle D. Bouchard as Council liaison to the Burrillville Extended Care Board of Directors to complete a two-year term to expire December 2016.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-065 Consider and act on a request from the Middletown Town Council for support of their resolution opposing House Bill 2015 – H 5257; an act relating to waters and navigation – harbors and harbor lines.

VOTED to receive and file.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

15-066 Consider and act on legislation pending before the Rhode Island General Assembly, as follows:

S 0383, Relating to Taxation - Levy and Assessment of Local Taxes
Increases from three (3) to six (6) years the interval of time within which a city or town must conduct an update of its last real property revaluation.

VOTED to support.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

S 0446, Relating to Labor and Labor Relations - Arbitration - Continuance of Contractual Provisions

Requires that the contractual provisions contained in a collective bargaining agreement with certified school teachers and municipal employees would continue until a successor agreement has been reached between the parties.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five

members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

**S 0531, Relating to Labor and Labor Relations - Interest Arbitration
Police and Fire**

Extends any existing collective bargaining agreements for firefighters and municipal police until a successor agreement has been reached or an interest arbitration award has been rendered.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

S 0540, Relating to Public Property and Works - State Purchases

This act would require the state and municipalities to award bids for purchases of goods or services to the lowest responsive and responsible bidder whose bid is the lowest price.

VOTED to oppose.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

S 0559, Relating to Taxation - Levy and Assessment of Local Taxes Exempts from taxation residential property developments not completed or, if completed, not sold and occupied.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

S 0575, Relating to Parks and Recreational Areas - Public Use of

Private Lands -Liability Limitations

Changes the definition of "owner" to exclude the state and municipalities for the purposes of liability limitations relating to public use of private lands.

VOTED to open.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

VOTED to oppose strongly.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

S 0592, Relating to Courts and Civil Procedure - Procedure Generally

Provides that an open and obvious danger or defect is not a complete bar to recovery of damages in personal injury or property damage actions.

VOTED to receive and file.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

H 5332, Relating to Towns and Cities – State Aid

This act would permit municipalities to seek reimbursement for essential services provided to certain tax exempt properties.

VOTED to open.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken.

Councilor Nancy F. Binns was excused.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

H 5529, Relating to Highways - Construction and Maintenance of State Roads

Requires cities or towns to implement a snow removal priority plan to place his or her importance on removing snow from certain roads and facilities.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken.

Councilor Nancy F. Binns was excused.

H 5555, Relating to Education - Charter Schools

Requires the board of education to make certain findings regarding the sending districts before granting approval to a new charter school project.

VOTED to open.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

VOTED to oppose.

Motion by Councilor Donald A. Fox. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

H 5716, Relating to Education - Foundation Level School Support Provides municipality or LEA with A rating or better with any of primary rating agencies and can issue and sell bonds on open market without general assembly approval or being issued through Rhode Island health and educational building corporation.

VOTED to open.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Donald A. Fox. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

VOTED to support.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

H 5725, Relating to Taxation -- Excise on Motor Vehicles and Trailers
Exempts from the excise tax any vehicle or trailer with a valuation of
five thousand dollars (\$5,000) or less.

VOTED to oppose.

Motion by Councilor Kimberly Brissette Brown. Seconded by
Councilor Michelle D. Bouchard. The vote was unanimous by the five
members present. Voting in favor of the motion were Council
President John F. Pacheco III and Councilors Stephen N. Rawson,
Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox.
Councilor David J. Place was not present when the vote was taken.
Councilor Nancy F. Binns was excused.

10. Town Clerk/Communication:

15-067 VOTED to receive and file the invitation to march in the 59th
Annual St. Patrick's Day Parade from Jeanne-Marie Napolitano,
Mayor, City of Newport.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor
Kimberly Brissette Brown. The vote was unanimous by the five
members present. Voting in favor of the motion were Council
President John F. Pacheco III and Councilors Stephen N. Rawson,
Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox.

Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

11. Additional New Business:

15-068 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:

A) [§42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 179, Lots 89 and 90); and

B) [§42-46-5(a)(2)] for discussion and action relative to employee pension litigation; and

C) [§42-46-5 (a)(2)] for discussion and action relative to matters of litigation between the Town and TransCanada (Ocean State Power)

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown and Donald A. Fox. Councilor David J. Place was not present when the vote was taken. Councilor Nancy F. Binns was excused.

There was a recess before executive session.

The Town Council returned to open session at 8:25 P.M.

VOTED to seal the minutes of executive session noting that one vote was taken.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place. Councilor Nancy F. Binns was excused.

12. VOTED to adjourn at 8:25 P.M.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place. Councilor Nancy F. Binns was excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk